



# House of Representatives

General Assembly

**File No. 284**

January Session, 2005

Substitute House Bill No. 5446

*House of Representatives, April 12, 2005*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING ADDITIONAL TRAINING AND RESTRICTIONS FOR DRIVERS UNDER THE AGE OF EIGHTEEN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 14-36 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (d) (1) No motor vehicle operator's license shall be issued to any  
5 applicant who is sixteen or seventeen years of age unless the applicant  
6 has held a learner's permit and has satisfied the requirements specified  
7 in this subsection. The applicant shall (A) present to the commissioner  
8 a certificate of the successful completion (i) in a public secondary  
9 school, a state vocational school or a private secondary school of a full  
10 course of study in motor vehicle operation prepared as provided in  
11 section 14-36e, [or] (ii) of training of similar nature provided by a  
12 licensed drivers' school approved by the commissioner, or (iii) of home  
13 training in accordance with subdivision (2) of this subsection,

14 including, in each case, or by a combination of such types of training,  
15 successful completion of not less than [eight] twenty clock hours of  
16 behind-the-wheel, on-the-road instruction; (B) present to the  
17 commissioner a certificate of the successful completion of a course of  
18 not less than eight hours relative to safe driving practices, including a  
19 minimum of four hours on the nature and the medical, biological and  
20 physiological effects of alcohol and drugs and their impact on the  
21 operator of a motor vehicle, the dangers associated with the operation  
22 of a motor vehicle after the consumption of alcohol or drugs by the  
23 operator, the problems of alcohol and drug abuse and the penalties for  
24 alcohol and drug-related motor vehicle violations; and (C) pass an  
25 examination which shall include a comprehensive test as to knowledge  
26 of the laws concerning motor vehicles and the rules of the road and an  
27 on-the-road skills test as prescribed by the commissioner. At the time  
28 of application and examination for a motor vehicle operator's license,  
29 an applicant sixteen or seventeen years of age shall have held a  
30 learner's permit for not less than one hundred eighty days, except that  
31 an applicant who presents a certificate under subparagraph (A) of this  
32 subdivision shall have held a learner's permit for not less than one  
33 hundred twenty days and an applicant who is undergoing training  
34 and instruction by the handicapped driver training unit in accordance  
35 with the provisions of section 14-11b shall have held such permit for  
36 the period of time required by said unit. The Commissioner of Motor  
37 Vehicles shall approve the content of the safe driving instruction at  
38 drivers' schools, high schools and other secondary schools. Such  
39 [eight] hours of instruction required by this subdivision shall be  
40 included as part of or in addition to any existing instruction programs.  
41 Any fee charged for the course required under subparagraph (B) of  
42 this subdivision shall not exceed an amount prescribed by the  
43 commissioner by regulation, adopted in accordance with chapter 54.  
44 Any applicant sixteen or seventeen years of age who, while a resident  
45 of another state, completed the course required in subparagraph (A) of  
46 this subdivision, but did not complete the safe driving course required  
47 in subparagraph (B) of this subdivision, shall complete the safe driving  
48 course, and any fee charged for the course shall not exceed an amount

49 prescribed by the commissioner by regulation, adopted in accordance  
50 with chapter 54. The commissioner may waive any requirement in this  
51 subdivision, except for that in subparagraph (C) of this subdivision, in  
52 the case of an applicant sixteen or seventeen years of age who holds a  
53 valid motor vehicle operator's license issued by any other state,  
54 provided the commissioner is satisfied that the applicant has received  
55 training and instruction of a similar nature. (2) The commissioner may  
56 accept as evidence of sufficient training under subparagraph (A) of  
57 subdivision (1) of this subsection home training as evidenced by a  
58 written statement signed by the spouse of a married minor applicant,  
59 or by a parent, grandparent, foster parent or the legal guardian of an  
60 applicant which states that the applicant has obtained a learner's  
61 permit and has successfully completed a driving course taught by the  
62 person signing the statement, that the signer has had an operator's  
63 license for at least four years preceding the date of the statement, and  
64 that the signer has not had such license suspended by the  
65 commissioner for at least four years preceding the date of the  
66 statement or, if the applicant has no spouse, parent, grandparent,  
67 foster parent or guardian so qualified and available to give the  
68 instruction, a statement signed by the applicant's stepparent, brother,  
69 sister, uncle or aunt, by blood or marriage, provided the person  
70 signing the statement is qualified. (3) If the commissioner requires a  
71 written test of any applicant under this section, the test shall be given  
72 in English or Spanish at the option of the applicant, provided the  
73 commissioner shall require that the applicant shall have sufficient  
74 understanding of English for the interpretation of traffic control signs.  
75 (4) The Commissioner of Motor Vehicles may adopt regulations, in  
76 accordance with the provisions of chapter 54, to implement the  
77 purposes of this subsection concerning the content of safe driving  
78 instruction at drivers' schools, high schools and other secondary  
79 schools.

80 Sec. 2. Section 14-36g of the general statutes is repealed and the  
81 following is substituted in lieu thereof (*Effective October 1, 2005*):

82 (a) Each [holder of] person who holds a motor vehicle operator's

83 license and who is sixteen or seventeen years of age shall comply with  
84 the following requirements:

85 (1) [For a] Except as provided in subsection (b) of this section, for  
86 the period of three months after the date of issuance of such license,  
87 such person shall not transport more than [one passenger, who shall  
88 be] (A) such person's [parent] parents or legal guardian, [who] at least  
89 one of whom holds a motor vehicle operator's license, [and is at least  
90 twenty-five years of age,] or (B) not more than one passenger who is a  
91 driving instructor licensed by the Department of Motor Vehicles, or a  
92 person twenty years of age or older who has been licensed to operate,  
93 for at least four years preceding the time of being transported, a motor  
94 vehicle of the same class as the motor vehicle being operated and who  
95 has not had his or her motor vehicle operator's license suspended by  
96 the commissioner during such four-year period;

97 (2) [For] Except as provided in subsection (b) of this section, for the  
98 period beginning three months after the date of issuance of such  
99 license and ending six months after the date of issuance of such license,  
100 such person shall not transport any passenger other than as permitted  
101 under subdivision (1) of this subsection and any additional member or  
102 members of such person's immediate family;

103 (3) No such person shall operate any motor vehicle for which a  
104 public passenger transportation permit is required in accordance with  
105 the provisions of section 14-44 or a van pool vehicle, as defined in  
106 section 14-1;

107 (4) No such person shall transport more passengers in a motor  
108 vehicle than the number of seat safety belts permanently installed in  
109 such motor vehicle; [and]

110 (5) For a period of six months after the date of issuance of such  
111 license, no such person issued a motorcycle endorsement shall  
112 transport any passenger on a motorcycle; and

113 (6) Except as provided in subsection (b) of this section, no such

114 person shall operate a motor vehicle on any highway, as defined in  
115 section 14-1, at or after midnight until and including 5:00 a.m. of the  
116 same day unless (A) such person is traveling for his or her  
117 employment or school activities, or (B) there is a medical necessity for  
118 such travel.

119 (b) A person who holds a motor vehicle operator's license and who  
120 is sixteen or seventeen years of age shall not be subject to the  
121 restrictions on the number or type of passengers specified in  
122 subdivision (1) or (2) of subsection (a) of this section, or to the  
123 restrictions specified in subdivision (6) of said subsection (a), if such  
124 person is an active member of a volunteer fire company or department,  
125 a volunteer ambulance service or company or an emergency medical  
126 service organization.

127 [(b)] (c) The Commissioner of Motor Vehicles may adopt  
128 regulations, in accordance with chapter 54, to implement the  
129 provisions of subsection (a) of this section.

130 [(c)] (d) Any person who violates any provision of subsection (a) of  
131 this section shall be deemed to have committed an infraction. The  
132 Commissioner of Motor Vehicles, after notice and opportunity for a  
133 hearing, in accordance with chapter 54, may suspend the motor vehicle  
134 operator's license of any person who commits a second or subsequent  
135 violation of the provisions of subsection (a) of this section until such  
136 person attains the age of eighteen years.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	14-36(d)
Sec. 2	October 1, 2005	14-36g

**TRA**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Motor Vehicles	TF - None	None	None
Judicial Dept.	Various - Revenue Gain	Less than \$100,000	Less than \$100,000
Criminal Justice Agencies	GF - None	None	None

Note: TF=Transportation Fund; GF=General Fund

**Municipal Impact:** None**Explanation**

The bill is not anticipated to result in any fiscal impact to the Department of Motor Vehicles. The bill increases, from 8 to 20 hours of behind the wheel instruction, the training requirement for 16 and 17 year olds. It also allows home training, or combination of home and school training, as long as it meets the minimum time requirement. The bill restricts the hours 16 and 17 year olds shall not operate motor vehicles from 12:00 am to 5:00 am except under certain conditions.

It is anticipated that the new infraction would generate less than \$100,000 in state revenues annually. A majority of these funds would be deposited in the Transportation Fund. The remaining revenue gain would be deposited in the General Fund and the Criminal Injuries Compensation Fund. Enforcement could be accommodated by various criminal justice agencies within budgeted resources.

**OLR Bill Analysis**

sHB 5446

**AN ACT CONCERNING ADDITIONAL TRAINING AND RESTRICTIONS FOR DRIVERS UNDER THE AGE OF EIGHTEEN****SUMMARY:**

This bill requires 16- and 17-year olds learning to drive under learner's permits to have a minimum of 20, instead of eight, hours of behind-the-wheel instruction before they qualify for licensure. It also prohibits 16- or 17-year old licensed drivers, with exceptions, from driving from 12:01 a.m. to 5:00 a.m. and permits them to transport more than one of their parents during the first three months they are licensed.

The bill also exempts a 16- or 17-year old licensee from the passenger restrictions and curfew hours that would otherwise apply if he is an active member of a volunteer fire company or department, a volunteer ambulance service or company, or an emergency medical service organization.

EFFECTIVE DATE: October 1, 2005

**INCREASE IN BEHIND-THE-WHEEL INSTRUCTION REQUIREMENT**

Currently, a 16- or 17-year old learning to drive under a learner's permit must complete, among other things, at least eight hours of behind-the-wheel, on-the-road training before he qualifies for a driver's license. He can get this training from a commercial driving school, through a school-based driver education program, or from "home training." Home training must be provided by an adult who has held a driver's license for at least the preceding four years that has not been suspended during that time. The person who signs the certification that he has provided the minimum training the law requires must be a qualified spouse of a minor applicant, parent, grandparent, foster parent, or guardian, but if the applicant has none of these, the certification may be signed by a qualified stepparent, brother, sister, uncle, or aunt, by blood or marriage.

The bill increases the minimum amount of behind-the-wheel, on-the-road training a 16- or 17-year old must have before qualifying for licensure from eight to 20 hours. The bill allows any training, including both classroom instruction and behind-the-wheel training, to be done through a combination of any of the approved methods, i.e., drivers education, commercial instruction, or home training.

### **PASSENGER RESTRICTIONS**

Currently, during the first three months a 16- or 17-year old holds a driver's license, he may transport no more than one passenger who must be either a (1) parent or legal guardian who is at least age 25 and a licensed driver, (2) person who is at least age 20 and has held an unsuspended driver's license for at least the preceding four years, or (3) licensed driving instructor. The bill, instead, allows him to transport during the first three months of licensure either (1) his parents or legal guardian, regardless of age as long as one is a licensed driver, or (2) one passenger only who must be either a licensed driving instructor or someone at least age 20 with an unsuspended driver's license for the four preceding years.

### **EXCEPTIONS TO DRIVING HOUR PROHIBITION**

The bill prohibits a 16- or 17-year old licensed driver from driving from 12:01 a.m. through 5:00 a.m. unless he is traveling because of his employment, school activities, or medical necessity.

### **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 28      Nay 1